REMARKS

Applicant respectfully requests reconsideration of the current application. Claims 1-8 were pending. New claims 9-14 have been added. Claim 8 has been canceled without prejudice. Claims 1 and 4-6 have been amended without introducing any new matter.

Claims 1-5, and 8 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 6,625,749 of Quach ("Quach"). A terminal disclaimer is respectfully submitted with the current response to overcome the double patenting rejection. Withdrawal of the rejection is respectfully requested.

Claims 1-8 were rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,393,582 of Klecka et al. ("Klecka"). Applicant respectfully traverses the rejection.

Claim 1 as amended sets forth:

[T]he first execution core comprising a first instruction cache and the second execution core comprising a second instruction cache and a selector to select instructions from the first instruction cache in the redundant mode and to select instructions from the second instruction cache in the split mode;

(Claim 1, ln. 6-10).

In contrast, Klecka fails to disclose at least the above limitation.

Klecka discloses a processor having a master processor unit 12 and a shadow processor unit 14. Data read from the memory 20 by the master processor unit 12 is communicated, via a memory checker/reflector (MCR) 30 and a shadow interface 28, and presented to the shadow processor unit 14 in response to its identical memory accesses. (Klecka, col. 4, ln. 55, -61; Figure 1). Neither the master processor unit 12 nor the shadow processor unit 14 comprises a selector to select instructions from a first instruction cache in the redundant mode and to select instructions from the second instruction cache in the split mode. Therefore, Klecka does not anticipate claim 1 as amended. Withdrawal of the rejection is respectfully requested.

Claims 4 and 6 are not anticipated by Klecka for at least the reason discussed above with respect to claim 1. Withdrawal of the rejection is respectfully requested.

Claims 2-3, 5, and 7 depend, directly or indirectly, from claims 1, 4, and 6. Thus, having additional limitations, claims 2-3, 5, and 7 are not anticipated by Klecka. Withdrawal of the rejection is respectfully requested.

Claims 9-14 have been added without introducing any new matter. Claim 9 is an independent claim directing to a processor having a first and a second execution cores. For the reason discussed above with respect to claim 1, claim 9 is also not anticipated by Klecka. Allowance of claim 9 is earnestly solicited.
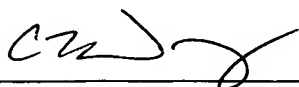
Claims 10-13 and 14 depend from claims 9 and 4, respectively. Having additional limitations, claims 10-13 and 14 are not anticipated by Klecka. Allowance of claims 10-14 is earnestly solicited.

It is respectfully submitted that the rejections have been overcome by the above amendments and remarks and the application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call C. Teresa Wong at (408) 720-8300.

Pursuant to 37 C.F.R. 1.136(a)(3), Applicant hereby requests and authorizes the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,
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